

486268

P.O. Box 609  
Libby, Montana 59923  
March 22, 2001

FEMA  
LOMA Depot  
3601 Eisenhower Avenue  
Suite 600  
Alexandria, Virginia 22304  
Attn: LOMA Manager

Re: Application for Amendment and Revision to  
National Flood Insurance Program Maps

Dear Sir or Madam:

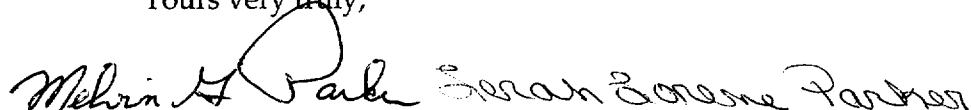
Enclosed is a completed Form 2 requesting an amendment/revision to the National Flood Insurance Program Map at the location of our property in Libby, Montana. The enclosed Form 2 and supporting information is provided to substantiate our understanding that our property is safely above the base flood elevation (BFE) at this location.

The following additional information is included in this submittal package:

1. MT-1 Form 2 Elevation Information
2. MT-1 Form 4 Community Acknowledgement of Request Involving Fill
3. Copy of Property Deed
4. Copy of Tax Assessors Map
5. Copy of Flood Insurance Rate Map Panel with Property Location Plotted
6. Copy of Property Line Survey
7. Copy of Property Plans with Locations of Proposed Structures Shown on Drawing Titled Site Reconstruction Plan
8. Copy of Engineer's Analysis, Calculations and Conclusion
9. Copy of a Portion of the USGS Quadrangle Map

Once you have reviewed the information provided with this request, we trust you will agree with the requested redesignation which will allow us to rebuild on our property. Thank you.

Yours very truly,



Melvin G. and Lerah Lorene Parker

List of Additional Information

For

Application Form for Single Residential Lot or Structure  
Amendments and Revisions to National Flood Insurance Program Maps

Submitted by: Melvin G. and Lerah Lorene Parker  
P.O. Box 609  
Libby, MT 59923

1. MT-1 Form 2 Elevation Information
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9. Copy of a Portion of the USGS Quadrangle Map

1. Community Name of NFIP map: LINCOLN COUNTY, MONTANA Map/Panel Number: 3001570650B  
2. Street Address of Your Property: 5000 HIGHWAY 37, LIBBY, MT 59923  
3. Has fill been placed on your property? YES If yes, when? 2000 AND 2001

4. Are you requesting that the flood zone designation be removed from a) your entire legally recorded property; b) a portion of your legally recorded property (a metes and bounds description must be written and certified by a registered professional engineer and submitted along with a map showing the metes and bounds area); or c) a structure on your property? (Answer "a," "b," or "c") b

5. Existing/proposed structures:

- What is the date of construction? PROPOSED FUTURE CONSTRUCTION
- What is the type of construction? (a) crawl space; (b) slab on grade; (c) basement; (d) other (explain) (Answer "a," "b," "c," or "d") a

6. One of the following documents is required of all requests:

☐ a. Copy of Subdivision Plat Map (with recordation data and stamp of the Recorder's Office).

OR

☒ Copy of the Property Deed (with recordation data and stamp of the Recorder's office) accompanied by a tax assessor's map or other suitable map showing the surveyed location of the property with respect to local streets and watercourses. (If the subdivision plat map and property deed are available, then both should be submitted.)

In addition, the following documents should be enclosed as applicable:

☒ b. Copy of the effective Flood Insurance Rate Map panel on which the property location has been accurately plotted

☒ c. Map showing the location of any structures on the property

☒ d. Metes and bounds description and accompanying map (only if the request is for a portion of the property), certified by a registered professional engineer or licensed surveyor

☐ e. A completed Federal Emergency Management Agency, National Flood Insurance Program, Elevation Certificate, certified by a registered professional engineer or licensed surveyor

OR

☒ A completed Elevation Information Form (MT-1, Form 2)

☒ f. Data to substantiate the 1% annual chance (base) flood elevation was not available from an authoritative source (such as a Federal or State agency). Base flood elevations were calculated and the back-up calculations are provided.

☒ g. Community Acknowledgment Form (MT-1, Form 4) (only if fill has been placed—available from regional office or community)

☐ h. If requesting a LOMR-F, the fee has been submitted to the fee collection administrator at the address on the front of this form.

☒ i. Additional information (attach list)

All information submitted becomes property of FEMA; please maintain a copy for your records.

7. All information submitted in support of this request is correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Property Owner's Name: (Please Print) MELVING G. PARKER LERAH LORENE PARKER

Mailing Address: P.O. Box 609  
LIBBY, MT 59923

Daytime Telephone No.: 406-293-9705

Melvin G. Parker Lerah Lorene Parker MARCH-22/2001  
Signature Date

## PUBLIC BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 0.63 hour per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, S.W., Washington, DC 20472; and to the Office of Management and Budget, Paperwork Reduction Project (3067-0148), Washington, DC 20503.

You are not required to respond to this collection of information unless a valid OMB Control Number is displayed in the upper right corner of this form.

*This form must be completed by a registered professional engineer or licensed land surveyor. These forms should not be used for requests involving Channelization, Bridges/Culverts, or Fill in the FEMA-Designated (regulatory) Floodway; instead, forms entitled Revisions to National Flood Insurance Program Maps (MT-2) should be used. The Elevation Information Form must be included for all requests, unless the request is for a determination in which the FIRM already shows the property to be CLEARLY outside the SFHA. Cases in which the determination for the property or structure is uncertain will require the submittal of elevation data to provide a definitive determination. If an Elevation Certificate has been completed for the subject property, it may be submitted in lieu of this form.*

(See instructions for details)

1. Community Name: LIBBY, MONTANA
2. Legal Description of Property: GOVERNMENT LOT 1 OF SECTION 32, TOWNSHIP 31 NORTH, RANGE 30 WEST, P.M.M., LINCOLN COUNTY, MONTANA (REF. ATTACHED COPY OF DEED)
3. Flooding Source: KOOTENAI RIVER
4. Based on the FIRM, this property is located in Zone(s): A and C
5. Is any portion of this property located in the regulatory floodway? ☒ Yes ☐ No  
Are any structures (existing or proposed) located in the regulatory floodway? ☐ Yes ☒ No
6. Is this area subject to land subsidence or uplift? ☐ Yes ☒ No  
If yes, what is the date of the current releveing? \_\_\_\_\_

For items 7-11 multiple lots/structures, complete the appropriate column(s) of the Summary of Elevations - Individual Lot Breakdown form, identifying the elevation for each lot/structure. To support items 9, 10, and 11, please note a map (certified by a licensed surveyor or registered professional engineer) may be required to relate the ground elevations and locations of structures or lots. The map should indicate whether it reflects "as-built" or "proposed" conditions.

7. What is the BFE for this property? (Provide elevation to nearest tenth of a foot and datum)

NOT APPLICABLE Elevation NGVD 29 Datum (NGVD, NAVD or other)

8. How was the BFE determined? (attach a copy of the Flood Profile or table from the FIS report, if appropriate, a copy of a letter from a state agency establishing a BFE, or other necessary supporting information including Forms 3 and 4 from forms entitled, "Revisions to National Flood Insurance Program Maps" (MT-2)).

SEE ENCLOSED ENGINEER'S MEMORANDUM

9. If this request is to remove the SFHA designation from a parcel of land or lot(s), what is the existing or proposed elevation of the lowest grade; that is, the lowest ground on the property or within the metes and bounds description of the portion being removed? (Provide elevation to nearest tenth of a foot and datum)

2090 Elevation NGVD Datum 29

PLEASE REFER TO THE INSTRUCTIONS FOR THE APPROPRIATE MAILING ADDRESS



10. If this request is to remove the SFHA designation from a structure(s), what is the elevation of the existing or proposed lowest adjacent grade; that is, the lowest ground touching the structure, including any attached decks or garage? (Provide elevation to nearest tenth of a foot and datum) 2090.0 Elevation NGVD Datum 29
11. If fill has been/will be placed to elevate the structure(s) on this property, what is the existing or proposed elevation of the lowest floor, including basement, and/or attached garage? (Provide elevation to nearest tenth of a foot and datum)  
N/A Elevation N/A Datum
12. Are the measurements in items 9 - 11 based on (a) proposed or (b) existing conditions? 2
13. If any of the above elevations were computed based on a datum different than the effective FIS, what is the conversion factor?  
FIS Datum = Local Datum +/- N/A feet
14. All information submitted in support of this request is correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Name (please print or type): Brent A. McCarthy, P.E.

Title (please print or type): Water Resources Engineer

Registration No.: 6619

Expiration Date: 5/31/01

State: NH

Telephone Number: 617-452-6235

Brent A McCarthy  
Signature

3/14/01  
Date

Seal (Optional)

FEDERAL EMERGENCY MANAGEMENT AGENCY  
COMMUNITY ACKNOWLEDGMENT  
OF REQUESTS INVOLVING FILL

O.M.B. Burden No. 3067-0147  
Expires May 31, 2001

PUBLIC BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average .88 hour per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, S.W., Washington, DC 20472; and to the Office of Management and Budget, Paperwork Reduction Project (3067-0148), Washington, DC 20503.

You are not required to respond to this collection of information unless a valid OMB Control Number is displayed in the upper right corner of this form.

Community Name: Lincoln County, Montana

Property Name or Address: 5000 Highway 37, Libby, Montana 59923

We hereby acknowledge receipt and review of this Letter of Map Revision (Based on Fill) request and have found that the completed or proposed project meets or is designed to meet all of the community's applicable floodplain management regulations, including the requirement that no fill be placed in the regulatory floodway. We understand that this request is being forwarded to FEMA for a possible map revision. For proposed projects, we understand that FEMA is being asked to provide comments on the potential effects of this project on the flood hazards of our community.

Community comments on the proposed project:

No fill has been placed in floodway and there  
has been no detrimental effects observed or anticipated.

Community Official's Name (please print or type): Ken C. Peterson

Address (please print or type): Lincoln County Planning Department  
418 Mineral Ave., Libby, Montana 59923

Daytime Telephone Number: (406) 293-7781 ext. 229

Ken C. Peterson  
Community Official's Signature

5 January 2001  
Date

PLEASE REFER TO THE INSTRUCTIONS FOR THE APPROPRIATE MAILING ADDRESS

DEED  
(JOINT TENANCY)

FOR VALUE RECEIVED, W.R. GRACE & CO.-CONN., formerly W.R. GRACE & CO., A CONNECTICUT CORPORATION, having a place of business at 62 Whittemore Avenue, Cambridge, Massachusetts 02140 (hereinafter "Grantor"), does hereby grant, bargain, sell and convey unto MELVIN G. PARKER and LERAH LORENE PARKER, 5000 Highway 37 North, Libby, MT 59923 (hereinafter Grantees"), as joint tenants (and not as tenants in common), and to the survivor of said named joint tenants, and to the heirs and assigns of such survivor, the following described premises in Lincoln County, Montana, to wit:

Government Lot 1 of Section 32, Township 31 North, Range 30 West, P.M.M., Lincoln County, Montana.

SUBJECT TO Right of way easement conveyed to State of Montana as set out in instrument recorded in Book 78 on page 177, microfilm records of Lincoln County, Montana.

SUBJECT TO Right of way easement conveyed to Pacific Power and Light Company as set out in instrument recorded in Book 116 on page 6, microfilm records of Lincoln County, Montana.

SUBJECT TO Right of way easement conveyed to United States of America as set out in instrument recorded in Book 155 on page 193, microfilm records of Lincoln County, Montana.

To have and to hold the said premises together with their appurtenances unto the said Grantees, as joint tenants with right of survivorship (and not as tenants in common) and to the heirs and assigns of the survivor of said named joint tenants forever. And the said Grantor hereby covenants and agrees to and with the said Grantees that the said Grantor has not heretofore done, committed or wittingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are or shall be charged or encumbered in title or estate howsoever. The covenants herein shall be binding upon and shall inure to the benefit of the respective heirs, successors, and legal representatives of the said Grantor and Grantees.

Dated this 17th day of December, 1993.

WITNESSES:

W.R. GRACE & CO.-CONN.

*Harold L. Stinson*  
*Carol M. Lutz*

By *Robert J. Bettacchi*  
Robert J. Bettacchi  
Vice President

SEAL:

COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF MIDDLESEX )

On this 17th day of December, 1993, before me, a Notary Public for the Commonwealth of Massachusetts, personally appeared ROBERT J. BETTACCHI, known to be the Vice President of W.R. Grace & Co.-Conn., that he executed the within instrument on behalf of the corporation herein named, and acknowledged to me that said corporation executed the same.

SEAL:

INDEXED

Reception No. 108768 Notary Public  
Recorded at the request of My commission expires 12/2/99  
Lincoln County Title Company

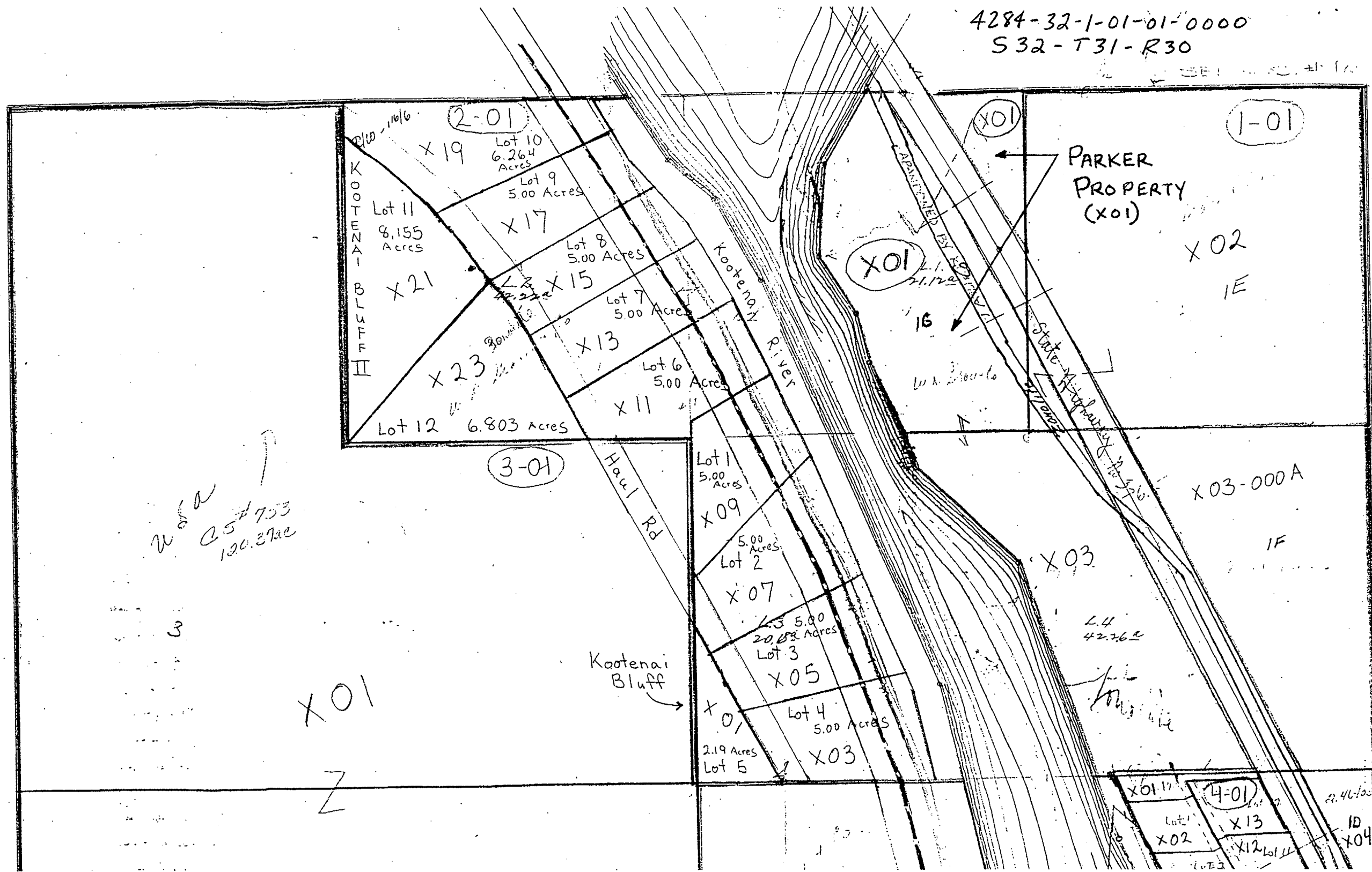
on the 30th Dec. 1993

Fee: \$100 3:35 P.M. Dec. 22,

*Carol M. Cumming*  
CLERK AND REGISTRAR

Lincoln County, Montana  
Return to: Lincoln County Title Company

4284-32-1-01-01-0000  
S32-T31-R30



W 60  
Q 5 7.53  
120.3722

X01

Z

3

ID  
X04



Camp Dresser & McKee Inc.

## Memorandum

To: Peter Borowiec

From: Brent McCarthy

*Brent McCarthy*

Date: March 8, 2001

Subject: Kootenai River Floodplain

The purpose of this memorandum is to estimate the 100-year base flood elevation on the Kootenai River near its junction with Rainy Creek in Libby, Montana.

### Background

Melvin and Lerah Parker are residents of Libby, MT who own property along the bank of the Kootenai River. The Parkers are temporarily living in rental property while EPA completes a time critical removal action associated with the vermiculite/asbestos cleanup project in Libby. Once EPA completes the removal action on Parker's property, the Parkers desire to rebuild on their property. The Parkers plan to construct a primary residence and a guesthouse. The footprints of the dwellings are shown inside the 100-year floodplain. However, we believe that the property is at an elevation well above the floodplain.

The floodplain is shown as "Zone A" on the Lincoln County, Montana Flood Insurance Rate Map (FIRM) Community Panel Number 300157 0650 B, Effective Date August 1, 1980. Zone A indicates that this floodplain was delineated using approximate methods, with no base flood elevation (BFEs) established.

The property is located about 10 miles downstream of the Libby Dam, a major Corps facility which controls the release of flows from the upstream drainage area. The Parker's property is clearly in the overbank of the river. It is likely that the dam would control flows to avoid overbank flooding during the 100-year event.

### Estimated Flood Elevation at Parker Site

BFEs have been established along the river, approximately 1 mile downstream. Data provided by Karl Christians of the Montana DNRC Floodplain Management Section shows a base flood elevation of 2,076.6 feet at the Orchard Lake Trailer Court. The trailer court is approximately 6,500 feet (1.2 mi.) downstream of the Parker's property.

Peter Borowiec

March 8, 2001

Page 2

To estimate the flood elevation at the Parker site, it was assumed that the water surface would rise at approximately the same rate as the slope of the river. The USGS map of the area was examined (see attached map) for locations where the contours cross the river. As shown on the map, a 2,080 contour was located upstream of the Parker site and a 2,060 contour was located downstream of the Parker site. The distance between the contours was measured as 30,140 feet, giving a water surface slope of  $((2080 - 2060) / 30,140) = 0.0007$  feet/foot. On this basis, the base flood elevation at the site can be estimated as the elevation at the Orchard Lake Trailer Court plus the slope multiplied by the distance from Orchard Lake Trailer Court to the site, or  $2,076.6 \text{ feet} + (0.0007 \text{ feet/foot} \times 6,500 \text{ feet}) = 2,080.9 \text{ feet}$ .

The property is located at a minimum elevation of 2,090 feet.

#### Conclusion

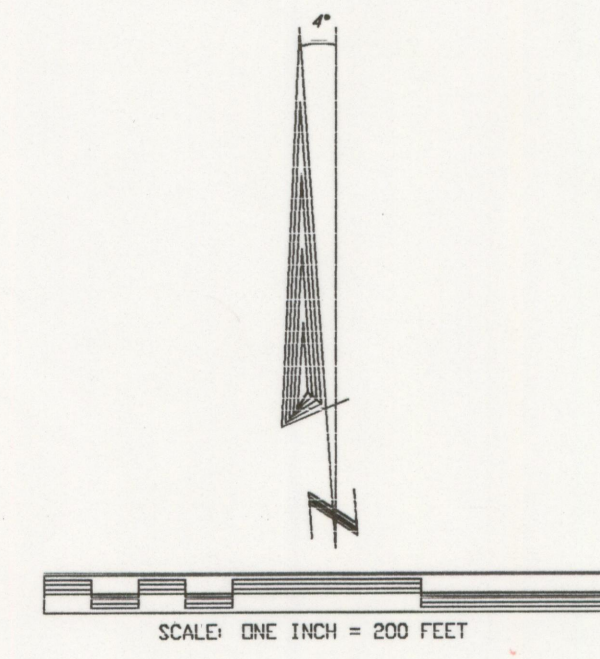
On this basis, even given the approximate nature of the analysis, it can be safely concluded that the site is well above the 100-year floodplain.







CERTIFICATE OF SURVEY  
IN  
NE1/4 SEC. 32, T31N, R30W, P.M.M.  
FOR  
CAMP, DRESSER, & McKEE  
SURVEY COMPLETED JULY 13, 2000

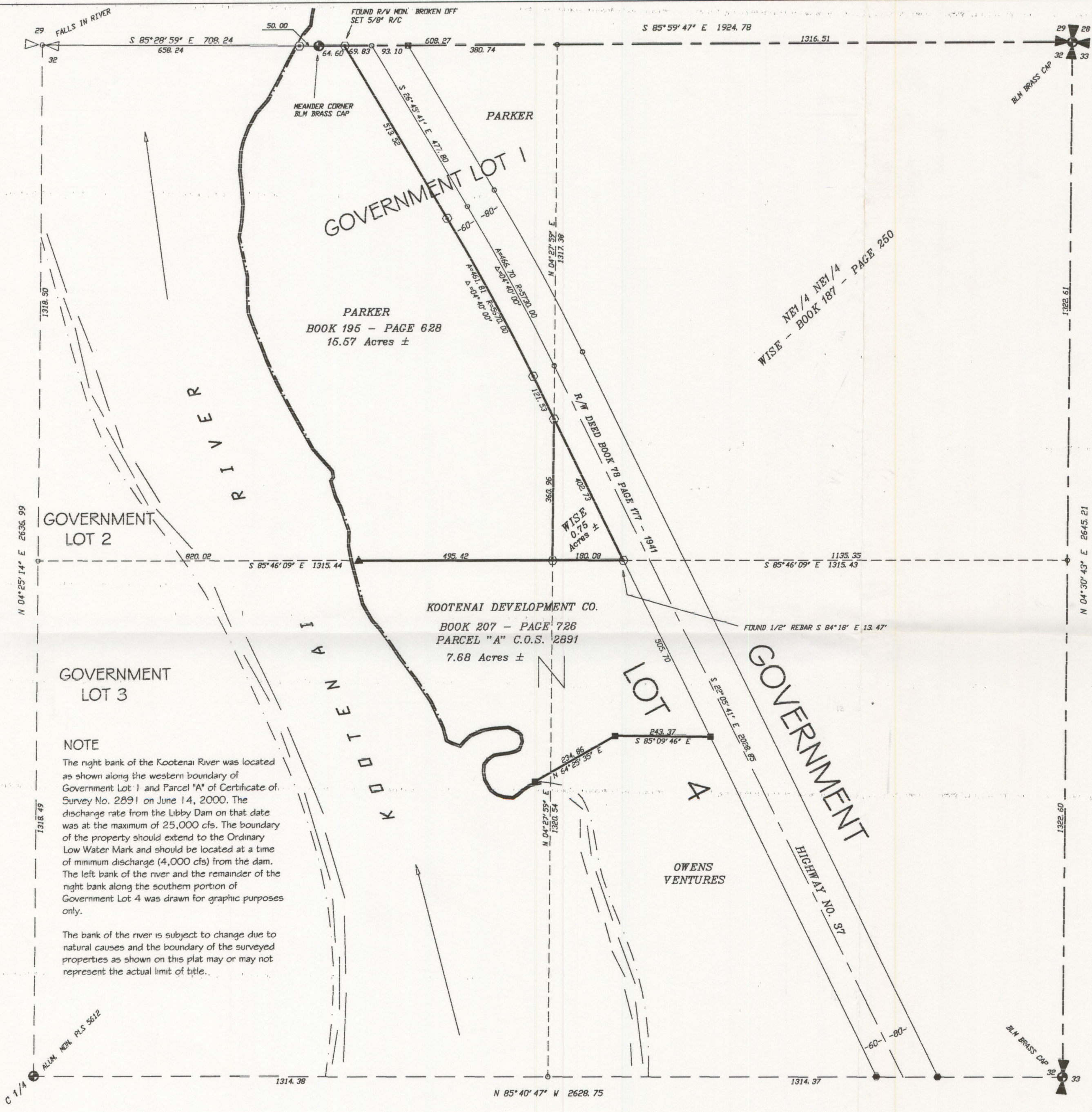


**BASIS OF BEARINGS**  
Bearings based on Montana State Plane Coordinate System.  
Rotate grid bearings 4°21'30" left to true north.  
Section subdivision based on Certificate of Survey No. 2082.

**HISTORY OF SURVEYS**  
1979 - Certificate of Survey No. 753 - 56125  
1993 - Certificate of Survey No. 2082 - 49755  
1993 - Plat No. 4996 - 79185  
1999 - Certificate of Survey No. 2891 - 732215

- LEGEND**
- FOUND CORNER EVIDENCE AS NOTED
  - FOUND 1/2" REBAR/CAP 79185
  - SET 5/8" REBAR/CAP 9958LS
  - FOUND 5/8" REBAR/CAP 73225
  - ▲ FOUND 1/2" REBAR/CAP 49755
  - COMPUTED POINT - NOT SET OR TIED

**PURPOSE OF SURVEY - RETRACEMENT**  
The purpose of this survey is to mark and retrace on the ground the boundaries of existing parcels of land. No new divisions of land are created as a part of this survey.



GOVERNMENT LOT 3

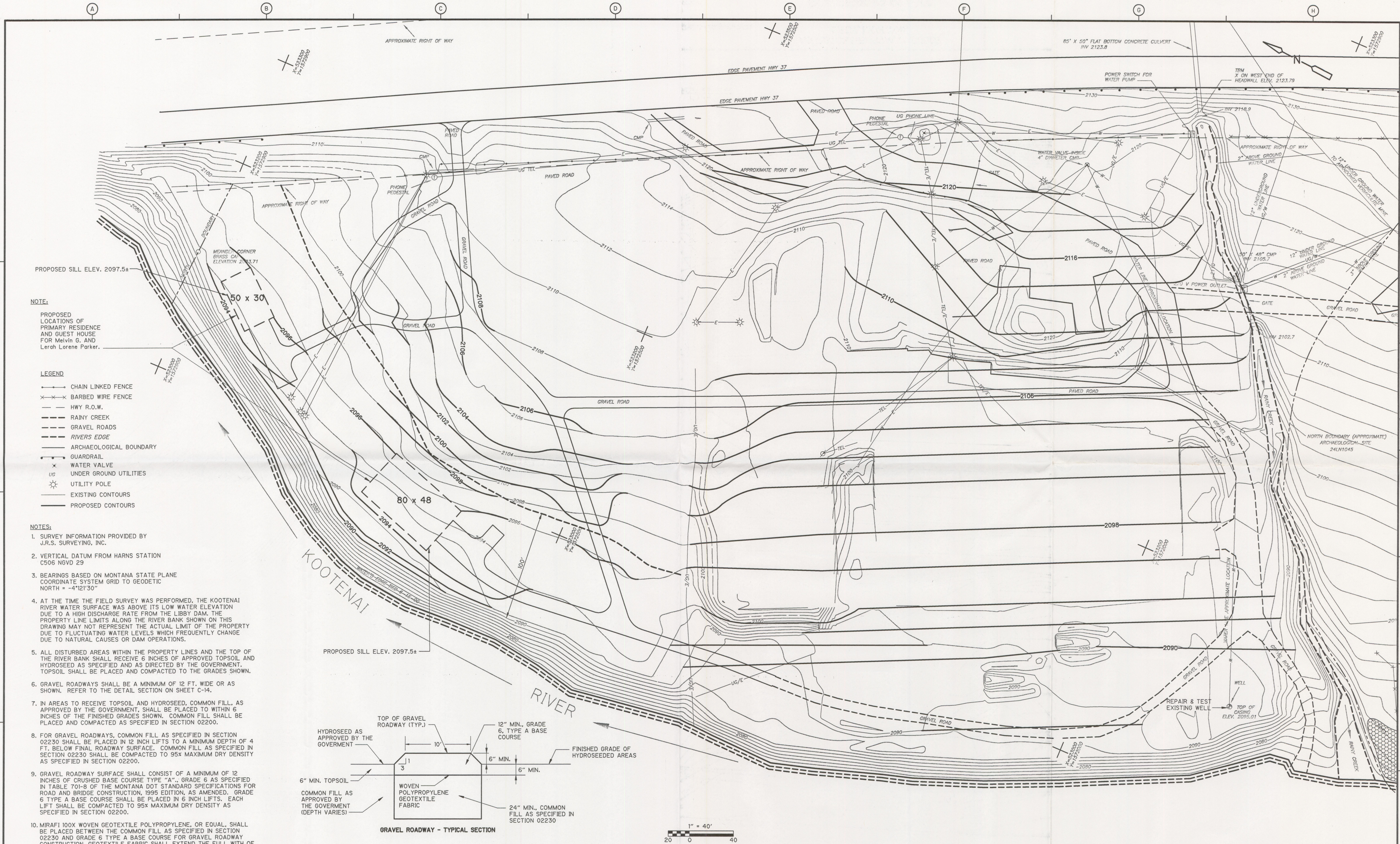
**NOTE**  
The right bank of the Kootenai River was located as shown along the western boundary of Government Lot 1 and Parcel "A" of Certificate of Survey No. 2891 on June 14, 2000. The discharge rate from the Libby Dam on that date was at the maximum of 25,000 cfs. The boundary of the property should extend to the Ordinary Low Water Mark and should be located at a time of minimum discharge (4,000 cfs) from the dam. The left bank of the river and the remainder of the right bank along the southern portion of Government Lot 4 was drawn for graphic purposes only.

The bank of the river is subject to change due to natural causes and the boundary of the surveyed properties as shown on this plat may or may not represent the actual limit of title.

Certificate of Survey No. \_\_\_\_\_

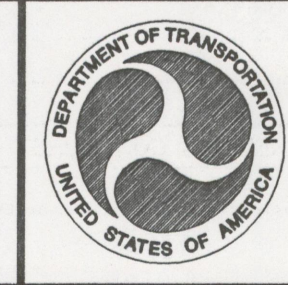
<b>COUNTY COMMISSIONERS</b> The county commission for Lincoln County, Montana does hereby approve this subdivision plat. Dated this _____ day of _____, 2000. Chairman, Lincoln County Commissioners Clerk and Recorder Checked by _____	<b>CERTIFICATE OF RECORDER</b> Filed for record this _____ day of _____, 2000, at _____ o'clock _____ M. Lincoln County Recorder By _____ Deputy	DATE: 07-10-00	NE1/4	<b>SURVEYOR'S CERTIFICATE</b> I, James R. Staples, do hereby certify that this Certificate of Survey has been prepared in conformance to the Montana Subdivision & Platting Act (Sections 76-3-101 thru 76-3-614 M.C.A.) and the regulations adopted pursuant thereto, and that the map shown hereon is a true representation of a survey made by me. <i>James R. Staples</i> 7-31-00 James R. Staples, 9958LS Date	 <b>J.R.S. SURVEYING, INC.</b> P.O. BOX 1050 317 MINERAL AVE. LIBBY, MONTANA 59923 (406) 293-5059
		JOB NO. M0105	SECTION 32		





REV. NO.	DATE	DRWN	CHKD	REMARKS
3	3/14	PF	PB	FEMA SUBMITTAL
2	3/14	PF	PB	ADDED DWELLINGS, REVISED CONTOURS
1	12/28	MC	PB	ADDED ACCEPTANCE BLOCK

DESIGNED BY:	P.J.B.
DRAWN BY:	M.J.C.
SHEET CHK'D BY:	P.J.B.
CROSS CHK'D BY:	P.J.B.
APPROVED BY:	P.J.B.
DATE:	OCTOBER 26, 2000



U.S. DEPARTMENT OF TRANSPORTATION  
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION  
JOHN A. VOLPE NATIONAL TRANSPORTATION SYSTEMS CENTER  
ENVIRONMENTAL ENGINEERING DIVISION, DTS-33  
55 BROADWAY, NINTH FLOOR  
CAMBRIDGE, MASSACHUSETTS 02142

CONTRACTOR SUPPORT PROVIDED BY:  
**CDM** Federal Programs Corporation  
a Subsidiary of Camp Dresser & McKee Inc.  
consulting  
engineering  
construction  
operations  
ONE CAMBRIDGE PLACE  
60 HAMPSHIRE STREET  
CAMBRIDGE, MASSACHUSETTS 02139

ASBESTOS REMOVAL PROJECT  
LIBBY, MONTANA  
**SCREENING PLANT**

**RECONSTRUCTION PLAN**  
PROJECT NO. CSTPL14C  
FILE NAME:  
SHEET NO. **C-14C**